

THE DEPARTMENT of COMMUNITY PLANNING & DEVELOPMENT
City Hall, Lynchburg, VA 24504 434.455.3900

To: Planning Commission
From: Planning Division
Date: September 14, 2005
**RE: SUBDIVISION, STREET DEDICATION AND NAMING REQUEST-
AMAYA'S WAY SUBDIVISION OFF BON TON ROAD**

I. PETITIONER

WJS, LLC, 2003 Weather Hill Road, Forest, VA 24551-3702.

Representative: Russell E. Nixon, Nixon Land Surveying, LLC, 1063C Airport Road, Lynchburg, VA 24502.

II. LOCATION

The subject property is a tract of land containing approximately 10.8 acres located on the west side of Bon Ton Road, which is off Boonsboro Road. The proposed new road contains .988 acres located on the west side of Bon Ton Road.

III. PURPOSE

The purpose of this request is to dedicate .988 acres for right-of-way for the proposed public street to be named "Amaya Drive" located on the west side of Bon Ton Road.

IV. SUMMARY

- Request agrees with the Subdivision Ordinance requirements for dedicating public rights-of-way in an existing R-1, Low-Density Single-Family Residential District.
- Request agrees with the Zoning Ordinance requirements for rights-of-way dedications.
- Request complies with City Code Section 35.105 requirement that "...all streets dedicated or private...may be assigned a name provided that a name assignment has been requested by the property owner on said street, and provided further that the Planning Commission deems the petitioned street of sufficient significance to warrant naming."
- Request complies with City Code Section 35.111 requirement that states the "proposed street name will be reviewed by the Technical Review Committee, Planning Commission and City Council, with the final decision resting with Council."

The Planning Division recommends approval of the public street dedication and naming requests.

V. FINDINGS OF FACT

1. **Background.** Russell E. Nixon, Nixon Land Surveying, LLC, is requesting to dedicate .988 acres for right-of-way for the proposed public street to be named "Amaya Drive" located on the west side of Bon Ton Road, which is off Boonsboro Road. The proposed street, with fifty (50) feet of right-of-way, would extend from Bon Ton Road in a southwesterly direction for approximately 700 feet to its terminus in a cul-de-sac.

2. **Zoning.** The subject property is zoned R-1, Low Density, Single-Family Residential District.
3. **Waivers.** No waivers from the Subdivision Ordinance will be needed for the subdivision, street dedication and naming request.
4. **Proposed Use of Property.** The purpose of the request is to develop approximately 10.8 acres into 16 lots with a residue lot, street dedication and naming for single-family residential lots.
5. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed a preliminary subdivision plat on August 23, 2005. The TRC noted the need for several revisions, most of which are minor in nature and which are expected to be resolved by the petitioner prior to the approval of a final plat. The TRC had the following comments of significance to the consideration of the requested subdivision, street dedication and naming:
 - "Separate water and sewer plans must be submitted to the Engineering Division for any infrastructure that will eventually become City-owned property. Included with this must be curb and gutter along the Bon Ton Road frontage of this subdivision."
 - "Public utilities will need to be extended to serve the subject property. Road, water and sewer plans are to be submitted separately to the Engineering Division for review."
 - TRC Members—the Traffic Engineer and the Fire Marshal—reviewed the request and had no concerns with the proposed public street name. The Emergency Communications Administrator and the Lynchburg Post Office Customer Services Manager also found that the proposed street name does not conflict with any existing street names.

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the proceeding findings of fact, the Planning Commission recommends to City Council approval of the dedication of the public street to be named "Amaya Drive," with fifty feet of right-of-way, approximately 700 feet in length, to be constructed in substantial compliance with the plat by Nixon Land Surveying, LLC, dated July 16, 2005. The dedication of Amaya Drive and its acceptance as a public street is contingent on WJS, LLC filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City's acceptance of Amaya Drive as a public street null and void.

This matter is hereby offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. R. Douglas Dejarnette, Fire Marshal

Mr. J. Lee Newland, Director of Engineering
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau
Capt. Todd Swisher, Lynchburg Police Department North Division
Capt. H. W. Duff, Jr. Lynchburg Police Department East Division
Capt. Al Thomas, Lynchburg Police Department South Division
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Keith Wright, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Ms. Annette M. Chenault, Planner II
Ms. Nicole Gilkeson, Community Development Planner
Mr. Russell E. Nixon, Representative

VII. ATTACHMENTS

1. "Plat Showing Amaya Drive Subdivision"

(see attached plat by Nixon Land Surveying, LLC, dated July 16, 2005)